

## AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 12, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: WVR-12368 - APPLICANT: ERIC MILLER - OWNER:  
CABALLOS DE ORO ESTATES, LLC

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*THIS ITEM WAS HELD IN ABEYANCE FROM THE JUNE 21, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

### **\*\* CONDITIONS \*\***

The Planning Commission (6-1/ds vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-11027), Rezoning (ZON-11031), Variance (VAR-11030), Vacation (VAC-12368) and Site Development Plan Review (SDR-11034) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

#### **Public Works**

3. Curbing on both sides of the 24 foot private streets shall be constructed of red concrete and "Fire Lane No Parking" signs shall be provided in accordance with the adopted Fire Code (Ordinance #5667) of Section 18.2.2.5.7 to prevent on street parking. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowner's Association.
4. The design and layout of all onsite private circulation and access drives must comply with all the fire code requirements for the street widths for emergency fire access.
5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-11031, Site Development Plan Review SDR-11034 and all other subsequent site-related actions.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Waiver of Title 18.12.100 to allow 24-foot wide private streets where 37 feet is the minimum width required, for a 30-unit attached single-family development on five acres located west of the intersection of Cheyenne Avenue and the Clark County 215 Beltway. Companion requests for a Major Modification (MOD-11027), a Rezoning (ZON-11031), a Variance (VAR-11030) a Vacation (VAC-12255) and a Site Development Plan Review (SDR-11034) have been submitted concurrently.

**EXECUTIVE SUMMARY**

The applicant intends to build 30 attached single-family townhome-style units on the subject site, only half of which is developable due to sever topography. The use of narrow private streets will enable owners to directly access two-car garages that are part of each unit, on a site with significant topographic constraints. Using streets wider than 24 feet will restrict the proposed elevations and development pattern.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 02/16/00      The City Council approved a petition to annex property (A-0046-99) located on the northeast corner of Buckskin Avenue and Puli Drive, containing approximately 5.0 acres of land. The Planning Commission and staff had recommended approval on 11/04/99. The effective date was 02/25/00.
- 10/26/00      The Planning Commission recommended denial of a request for a Site Development Plan Review [Z-0094-00(1)] for a proposed 72,000 square-foot office development on 5.0 acres located on the northeast corner of the intersection of the Puli Road and Buckskin Avenue alignments. This application was subsequently withdrawn without prejudice before the City Council on 12/06/00. Staff had recommended denial.
- 12/06/00      The City Council approved a request for a Rezoning (Z-0094-00) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres located on the northeast corner of the intersection of Puli Road and Buckskin Avenue alignments, subject to a Resolution of Intent with a two-year time limit. The Planning Commission and staff had recommended approval on 10/26/00. This approval expired on 12/06/02.

- 01/27/05 The Planning Commission voted to abey several related requests to its regular meeting of 02/24/05, to give the applicant an opportunity to meet with adjacent property owners. These requests included a Major Modification (MOD-5781) of the Lone Mountain West Master Development Plan to change the land use designation from L (Low Density Residential) to MFM (Multi-Family Medium Residential), and to amend Tables #1, #2, #3 and #4 (Section 2.2) to reflect changes to the land use categories and number of residential units, a Rezoning (ZON-5785) to rezone the site to PD (Planned Development), a Variance (VAR-5786) to allow a 15-story building where a maximum height of three stories was permitted, a Variance (VAR-5792) to allow 168 parking spaces where 222 spaces are required, and a Site Development Plan Review (SDR-5781) to allow a 15-story, 125-unit condominium development on the subject site.
- 02/10/05 The Planning Commission voted to abey a related request (VAC-5793) to its regular meeting of 2/24/05, to be heard with companion items and to give the applicant an opportunity to address the issue of a horse trail on the site with staff.
- 02/24/05 The Planning Commission voted to abey MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to its regular meeting of 4/28/05, to allow the applicant time to redesign the project.
- 04/28/05 The Planning Commission voted to table MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to allow the applicant time to adjust this and companion applications in order to present a revised version of the project.
- 05/25/06 The Planning Commission recommended approval of companion items MOD-11027, ZON-11031, VAR-11030, VAC-12255 and SDR-11034 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #17/gl).

***B) Pre-Application Meeting***

- 11/16/05 The project was analyzed to identify the necessary submissions and the applicant was advised of the submission requirements for the project and was also advised of pertinent issues as seen by staff at that time.

***C) Neighborhood Meetings***

- 02/02/05 A neighborhood meeting is not required for a Title 18 Waiver application; however, one was required for companion request Major Modification MOD-11027.

The applicant sponsored this meeting at the Clark County Rainbow Library, 3150 North Buffalo Drive, Las Vegas, Nevada, starting at 5:30 p.m. The meeting was attended by three members of the public, three members from the design team, and a city representative.

The developer's representative presented several design boards of the project in an informal manner for the public to review and ask questions. The members of the public asked questions and made the following comments:

a. Clarification of the project site was requested by one of the attendees.

Response: The applicant's architect reviewed the exact location of the project site which clarified the public's concern of a different site location.

b. Question as to the height of the proposed project.

Response: The developer's representative noted that the height of the residential buildings would be a maximum of 35 feet with a split level three story design.

No further questions were raised. General discussion of the overall project ensued between the developer and members of the public in an informal manner. No specific objections were raised, as the height of the proposed structures appeared to be acceptable at 35 feet as explained by the architect.

## **DETAILS OF APPLICATION REQUEST**

### ***A) Site Area***

Gross Acres: 5.0

### ***B) Existing Land Use***

Subject Property: Undeveloped  
North: Undeveloped  
South: Undeveloped (park under design and development)  
East: Office Building  
West: Red Rock Canyon National Conservation Area

### ***C) Planned Land Use***

Subject Property: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation  
North: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation

South: PCD (Planned Community Development)  
 P (Parks, Schools, Recreation, Open Space) Lone Mountain West  
 Special Land Use Designation  
 East: PCD (Planned Community Development)  
 VC (Village Commercial) Lone Mountain West Special Land Use  
 Designation  
 West: (RC) Resource Conservation

**D) Existing Zoning**

Subject Property: U (Undeveloped) [PCD (Planned Community Development)  
 North: U (Undeveloped) [PCD (Planned Community Development)  
 South: C-V (Civic)  
 East: PD (Planned Development)  
 U (Undeveloped) [PCD (Planned Community Development) under  
 Resolution of Intent to PD (Planned Development)  
 West: Clark County

**E) General Plan Compliance**

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain West Master Development Plan area and is designated as L (Low Density Residential) special land use designation by that Plan.

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>	<b>X</b>	
Lone Mountain West Master Development Plan	<b>X</b>	
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>	<b>X</b>	
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

**Lone Mountain West Master Development Plan**

The proposed development is not in compliance with the Lone Mountain Master Development Plan, due to the proposed height and the type of use, being an attached single-family product. The applicant is attempting to address these issues through companion cases Major Modification (MOD-11027) and Variance (VAR-11030).

**Trails**

Although not required pursuant to the city's Trails Elements, there is an existing equestrian trail that bisects the subject site along the base of the mountain. It is the intent of the applicant to preserve this informal trail along the northern edge of the proposed development.

## **ANALYSIS**

This is a request for a Waiver of Title 18.12.100 to allow a 24-foot private street section where 37 feet is the minimum street section width allowed. The applicant is proposing to place a 24-foot wide private street internally within the parcel to serve the 30 attached single-family lots the applicant is seeking to develop. The steep slopes within the parcel are the reason a narrower street section is desired, so that the gradient between the units, all of which will be served by the private street which loops through the project, will not be excessive.

Specifically, Title 18.12.100 states:

“Private streets must comply with applicable City standards and with the following requirements:

- (A) Private streets shall have a minimum width of thirty-seven feet from back-of-curb to back-of-curb. Private streets with rolled curbs shall have a minimum width of thirty-nine feet.
- (B) Private streets shall meet the minimum construction standards for public streets.
- (C) Street name signs for private streets shall bear the words “privately maintained”, and shall be a color and design established by the City and in conformance with the Manual of Uniform Traffic Control Devices. The color of such a sign must differ distinctly from that used in connection with public streets.”

Public Works has no objection to the request for a Waiver of Title 18.12.100, as there appear to be no safety or traffic impact issues related to this request.

## **FINDINGS**

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the topography of the site and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended. Additionally, the Department of Public Works has no objection to this Waiver request.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

3

## **ASSEMBLY DISTRICT**

4

## **SENATE DISTRICT**

9

**NOTICES MAILED**      340 by Planning Department

**APPROVALS**                      0

**PROTESTS**                        8